FOR MYSORE STATE

Rural welfare **(1952) Department.**

Ms. **SERIES.**

G.O. NO. 282.

Dated 14.3.52

Issued

Despatched
Hyde. 19/3

[Despatch Abstract.]

H.R and C.E Act 1951 — Sec 7.9(1) — Bank assessment Sri Pandurangaswami Temple. Srirangapuram Bellary District — orders Issued.

Office of the Commissioner for Hindu
Religious and Charitable Endowments,
(Adm/Org) Madras-6.

Letter No.135559/51-1 REV dated 1-2-1952.

ASSISTANT SECRETARY TO GOVERNMENT
11FEB1952
RURAL WELFARE DEPARTMENT

From
Sri T.M. Chinnaiya Pillai, M.A., B.L.,
Commissioner,
Hindu Religious and Charitable Endowments, Madras.6.

The Secretary to the Government, of Madras,
Rural Welfare Department,
Fort St. George, Madras.9.

Sir,

Sub:Hindu Religious and Charitable Endowments Act, 1951- Section 79(1)Back assessment- Sri Pandurangaswami temple- Srirangapuram ~~Taluk~~- Bellary Dt- hardship- orders solicited.

6211 S&A

Ref: G.O.(M.S) No.1059/R.W. dated 6-10-1951. (H) 1/p.5

A temple by the name of Sri Pandurangaswami, Srirangapuram hamlet of Sugganahalli, Hospet Taluk, Bellary Dt., has been brought to the notice of this department only recently. The temple itself is of recent origin and endowed with properties for its maintenance in faslis 1358 and 1360. The land at Gonchal endowed in fasli 1358 was waste and did not fetch any income in that fasli. The properties endowed fetched Rs.200/- in fasli 1359 and Rs.600/- in fasli 1360 as reported by the Local Officer. A Copy of the report is enclosed. Any assessment for back faslis prior to fasli 1359 works as a serious hardship on the slender resources of the institution which came into existence recently. Though I am entitled to levy ordinarily back assessment with reference to Section 79(1) of the Act for full three back faslis in all new cases, I am of opinion that this is a deserving case where the said new institution needs assessment on Rs.200/- for fasli 1360 and Rs.600/- for fasli 1361. I request therefore that the Government may be pleased to issue orders accordingly.

H.S. Sinha

Yours faithfully,

Commissioner.

Enc:1

H.R.6.2.

1045/51 dated 11-8-1951. Office of the Inspector, H.R.E.Bellary.

3

To

The Assistant Commissioner, H.R.E.Kurnool.

Sir,

Sub: Assessable income for fasli 1361 and fasli 1360-Sri Panduranga swami temple- Srirangapuram hamlet of Sugganahalli- Hospet Tq.

This is an institution recently built by the villagers and they have also endowed properties for its maintenance. Lands is the only source of income to the institution. In fasli 1359 the land S.No.109-A 15-47 cents of Genehal village was leased out for a sum of Rs.200/- in fasli 1359 and in fasli 1360 the remaining lands were endowed to the temple and so the total lease amount for fasli 1360 amounts to Rs.600/- from all the lands. The trustee of the institution one Mutyala Muddiah nominated by the villagers resides in Peddayakkalur of Tadipatri taluk and so I could not record his statement. The trustee has not responded to my ordinary notices to produce the accounts of the temple, and he has refused to receive my registered letter No.1006/50-4 dated 25-11-1950 asking him to produce his accounts on 4-12-1950 at Bellary in my office on the pain of assessing the institution on an income of Rs.600/- and also to recommend to the authorities to apply penal sections for wilful disobedience to produce the accounts. He has refused to receive my letter on 28-11-1950 and the same is herewith submitted. As the temple has no other sources of income for fasli 1359 and 1360 it may be assessed on an income of Rs.200/- for fasli 1360 and on Rs.600/- for fasli 1361. Statement of Reddi Mallanagowd the V.M. of the place corroborating my report is here with submitted.

Encl.

Village.	Schedule. S.No.	Extent.
Yelubenchi.	247-D.	7-67.
Sugganahalli	343	8-10
	231-D.	5-37
Genehal.	109-A.	15-47

Sd.S.Subbayya.
Inspector. 11-8-51

(True Copy)

1569/51-1 Dated 29-12-1951. Office of the Inspector,H.R. and C.E.Bellary.

To

The Asst.Commissioner, H.R. and C.E., Anantapur.

Sir,

Sub: No income for faslis 1358 and 1359-Sri Pandurangaswami temple Srirangapuram hamlet of Sugganahalli-Hospet Taluk-

Ref: Commissioner's Memo No.135559/51-1 REV dated 13-12-1951.
Asst.Commissioner's Endorsement No.1279/51-1 Rev dated 27-12-1951.

I have submitted in my report No.1045/51 dated 11-8-1951 that the temple has come into existence recetly and the properties are endowed to the institution for its upkeep in faslis 1358 and 1360. So prior to fasli 1358 the temple had no properties. Please vide the statement of the V.M. submitted along with my report cited above. Though the land at Genchal was endowed in fasli 1358 it was left waste for the said fasli and as the temple had no other sources of income for the said fasli the income of the institution cannot be brought under assessment for fasli 1359. As the temple had no properties prior to fasli 1358 which yield any income it cannot be assessed for fasli 1358. So the temple may be assessed on an income of Rs.200/- for fasli 1360 and on Rs.600/- for fasli 1361 as already reported by me. Endorsement of the Asst.Commr is herewith resubmitted.

S.Subbayyan,
Inspector, 29-12-51

(True Copy)

1

T.M. Rev. D.

From the Asst. Revenue Officer

R.D.

To the Commr. H.R. & C.E. (Admn.) Dept.

Sub: H.R. & C.E. Act, 1951 - Sri Pandurangaswami Temple, Srirangapatnam - Bank Assessment.

Ref: Your Lr. No. 13553/54 (1)-1 Rev-A 1.2.52

It has already been ordered that the pending writ petition in the Supreme Court against the recent judgment of the High Court, Madras Constitutional should not be allowed to delay from realising contributions from religious institutions but that contributions should immediately be realised. It is in this circumstances that the Assistant Commissioner in charge of the Sri Pandurangaswami Temple, Srirangapatnam Bellary

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Addl

district will arise. Please say whether with his previous
it is necessary to issue any orders as
requested by ~~letter~~ in ~~his~~ letter cited.

20.2.52

P. Nair

Note

This is a case of assessment.
Only when the assessment is settled, the question
of payment will arise. The payment
should not be seen Conclusive but
voluntary only.

20.2.52

ADDITIONAL DEPUTY SECRETARY
9 FEB 1952
1275
BOARD OF REVENUE

A draft order is submitted for approval. If
may be approved

20.2.52

21.2.52

S.

21.2.52

R.O.C.No. 6211/52-I

22.2.52

GOVERNMENT
MAR 52
RURAL WELFARE DEPARTMENT

FIN.U.O 12759/Tech52-1
4-3-52
6-MAR 052
16026
RURAL WELFARE DEPARTMENT

(3) 9

Finance (Accts)

The draft order below may be accepted.

2-3-52

4.3.52

Rural Welfare Deptt.(V)

Under section 79(1) of the Madras H.R.&.C.E. Act, 1951, the Commissioner, H.R.&.C.E.(Admn)Deptt is not competent to levy any contribution from any institution for more than three faslis immediately preceding the fasli in which a notice of assement is issued under section 78. The Commissioner is thus not endowed with the discretion of limiting the contribution on back assement upto three faslis. The Commissioner could not exercise his discretion in

deserving cases of religious institutions which are assessed for the first time by him and collect contribution on back assessment for a period less than three faslis and may even completely waive any contribution. But on financial grounds, in G.O.No.1059, R.W., dated 6-10-1951, it was ordered that the Commissioner should ordinarily levy contribution on back assessment for full three faslis in all cases and that if such levy would in the opinion of the Commissioner, work hardship to the religious institution concerned, he should report the case to the Govt. for orders, with his specific recommendation.

Sri Pandurangaswami temple at Srirangapuram, hamlet of Suggahalli, Hospet Taluk, Bellary Dt has been brought to the notice of the H.R.&.C.E.(Admn)Deptt only recently. The temple was endowed with properties only in faslis 1358 & 1360.

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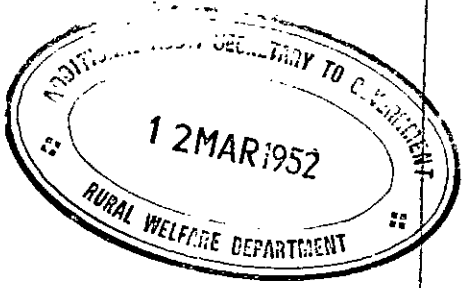
141



4

The endowed properties fetched a revenue of Rs.200 in fasli 1359 and Rs.600/- in fasli 1360. As any assessment for back faslis prior to fasli 1359 would work as a serious hardship on the slender resources of the temple, the Commissioner opines that this is a deserving case where the institution needs assessment on its resources for ~~the~~ two faslis only i.e. Rs.200/- for fasli 1360 and Rs.600/- for fasli 1361. It is proposed to accept the Commissioner's recommendation. Finance have also accepted this. For orders as to issue of the draft order below.

10.3.52

10.3.52

12.3.

K.C.M

ACM

Rw 8

13

Lr No. Rev/no. 282 d. 14-3-52

H.R. & C.E Act, 1951. Sec. 79(1) - Basic assessment. Sri. Parthasarathi Swamy, Srirangapuram, Bellary district - Grant, refused.

Ref. 1 & 2 cited

Read also: (1) Rw No. 1059 R.W. d. 6.10.57.

CF.

Read the following: From the Commr. H.R. & C.E. (A) Dept. Lr No. 1357-59/57-1 Rw. d. 1.2.52.

The Govt. accept the proposal of the Commr. H.R. & C.E. (A) Dept. for limiting the basic assessment under Sec. 79(1) of the H.R. & C.E. Act 1951 to his fasli arrears (Fasli 1359 and 1360) in respect of Sri. Parthasarathi Swamy, Srirangapuram Bellary district.

Ord. 17.3.52

To the Commr. H.R. & C.E. (A) Dept. Attn: Sri. [illegible] Ex. for C.F.A.

20.2.52 21.2.52 21.2.52

NOR [illegible]
20.2.52

Office of the Commissioner for Hindu
Religious and Charitable Endowments,
Madras.

Letter No. 135559/51-Rev-2-dated 17--4--1952.

From

Sri T.M. Chinnaiya Pillai, M.A., B.L.,
Commissioner,
Hindu Religious and Charitable Endowments,
M a d r a s.

To

The Secretary to the Government of Madras,
Rural Welfare Department,
Fort Saint George, Madras.

Sir,

Sub: Hindu Religious and Charitable Endowments Act, 1951
Section 79 (1) back assessment - Sri Pandurangaswami
temple - Srirangapuram village - Bellary district -
Clarification and modification - Requested.

Ref: My Letter No. 135559/51-1-Rev-dated 1-2-1952.

27799

G.O. (MS) No. 282, R.W. Department, dated 14-3-1952.

In my letter under reference my suggestion for assessment of the above mentioned new institution was confined to fasli 1360 on Rs.200/- and to fasli 1361 on Rs.600/-, but it is stated in the above G.O. that my proposal for limiting the back assessment under section 79 (1) ofthe Hindu Religious and Charitable Endowments Act, 1951, to two faslis only i.e. 1359 and 1360 has been accepted. "Faslis 1359 and 1360" mentioned in the G.O. are evidently mistakes for "faslis 1360 and 1361". I request that the Government may be pleased to clarify and modify their order, if necessary.

Yours faithfully,

Commissioner.

m.g.21.4.

21.4.52

Rural Welfare Dept

Memo No. 27799R.W.I/52-2 dated 2.5.52
H.R. & C.E. Act, 1951 - Sri Parthasarangaswami
temple, Srivangaratturam, Bellary district

p.13 q (1) Read the following: Go No. 282 R.W. dt. 14.3.52 from the Commr. H.R. & C.E. (A) Dept.
Lr No. 13559/51 Rev. dt. 17.4.52

The following erratum is issued to Go No. 282 R.W. dt 14.3.52:-
The word 'basis' in the body of the order may be omitted and the expression 'Faslis 1359 & 1360' occurring within brackets shall be substituted by the expression 'Faslis 1360 & 1361'.

5/5/52

To the Commr. H.R. & C.E. (A) Dept.
A.G. Rev. Rev.
Ex. & L.F. Accounts.

25.4.52 — 25.4.52

Note Please see the letter from the Commr. in the C.P. and G.O. No. 282 Rev. dt 14.3.52 on p. 13 q (1). The idea is to assess the temple in question on the income derived by it during faslis 1359 & 1360. But the actual assessment will be made only in faslis 1360 & 1361 only respectively. The draft erratum above will clarify the position & it may be approved.

25.4.52 — 25.4.52

ADDITIONAL DEPUTY SECRETARY 31414 11 APL 1952 Revs SERVICE DEPARTMENT

G.W.U.O 27799 W 52-1
25.4.52

Finance (Accts)

The draft order on p 1 alone may be perused and the file returned to R.W.

28/4/15

28/4/15 RW

15-5-15

R.W

Fin no 31414 Accts-I